



State of California—Health and Human Services Agency  
Department of Health Care Services



GAVIN NEWSOM  
GOVERNOR

February 26, 2019

TO: ALL COUNTY WELFARE DIRECTORS Letter No: 19-08  
ALL COUNTY ADMINISTRATIVE OFFICERS  
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS  
ALL COUNTY MENTAL HEALTH DIRECTORS  
ALL PROBATION DIRECTORS

SUBJECT: NON-RELATED LEGAL GUARDIANSHIP ELIGIBILITY FOR FORMER  
FOSTER YOUTH PROGRAM

The purpose of this All County Welfare Directors Letter (ACWDL) is to provide Counties with guidance on eligibility for the Former Foster Youth Program (FFY) for youths in a Non-Related Legal Guardianship (NRLG) at age 18 or older.

### Background

Effective January, 2014, the Patient Protection and Affordable Care Act and the California Welfare and Institutions Code, Section 14005.28 extended Medi-Cal eligibility to youths under age 26 who were in foster care under the responsibility of this state or a tribe in this state, or were enrolled in Medicaid and in foster care under the responsibility of another state or a tribe in another state, at age 18 or older when they aged out of foster care.

The Department of Health Care Services (DHCS) provided guidance for processing the FFY applicant in ACWDLs 14-41 and 14-41E. Since the publication of ACWDLs 14-41 and 14-41E, DHCS has received requests for clarification from Counties as to whether youths in a NRLG at age 18 or older are eligible for the Medi-Cal program for FFY up to age 26. This guidance is being provided in response to those inquiries.

When a youth applies for Medi-Cal and self-attests to a FFY status, the youth is given immediate Medi-Cal eligibility. Within 30 days of self-attestation, the youth's FFY status must be verified by the County Eligibility Worker. Foster care aid codes may be used to aid in the verification of the FFY. Foster care aid codes include: 40, 42, 43, 45, 46, 49, 4C, 4H, 4L, 4N or 5K. There may be situations where a child may not have a foster care aid code and still be in foster care and on Medi-Cal.

### **Youths in NRLG as a Foster Care Child in California**

When a youth is removed from their home, the California Department of Social Services (CDSS) assesses whether the youth will be placed under the care and placement of the state or tribe and assigns an aid code. When a youth is moved into a NRLG and is placed or remains under the care and placement of the state or tribe, CDSS assigns aid code 40. Aid code 40 is Aid to Families with Dependent Children (AFDC) AFDC-Foster Care, which is a state only foster care placement with full Medi-Cal benefits. Youths in a NRLG under aid code 40 who age out of the NRLG at age 18 or older are eligible for Medi-Cal benefits through the FFY Program.

For more information on FFY eligibility, please refer to the processing instructions in ACWDLs: 01-41, 14-41, 14-41E, 15-29, 15-32, and 15-37. ACWDLs 00-41 and 00-61 and Medi-Cal Eligibility Division Information Letters 13-07 and 14-05 were superseded by ACWDL 14-41E. Guidance being provided herein supersedes any prior informal guidance given as to Medi-Cal eligibility for youths in a NRLG. Unless superseded by later ACWDLs, the eligibility information in this and other ACWDLs must continue to be followed when processing FFY eligibility.

If you have any questions or if we can provide further information, please contact Dee Paull in the Access Program and Policy Branch at (916) 345-8093 or by email at [FFY@dhcs.ca.gov](mailto:FFY@dhcs.ca.gov).

Original signed by  
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Medi-Cal Eligibility Division